

FIRST INFORMATION REPORT  
(Under Section 154 Cr. P.C.)

822

1. Dist. Darjeeling PS Siliguri Year 2021 FIR No. 1172/21 Date 23/9/2021

2. i) Act IPC Sections 188/341/323/506/406/120B (ii) Act 506/406/120B Sections

(iii) Act Sections (iv) Others Acts & Sections

3. (a) Occurrence of Offence Day 01.06.1995 Date From NOT MENTIONED Date To

Time Period Time From Time To

(b) Information received at P.S. Date 23/09/2021 Time 21.10 hrs.

(c) General Diary Reference / Entry No(s) 1426 Time 21.10 hrs.

4. Type of Information  Written /  Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. Beat No.

(b) Address Church Road, Ward no-10, Ps-Siliguri, Dist-Darjeeling.

(c) In case outside limit of this Police Station, then the

Name of the P.S. District

6. Complainant / Informant:

(a) Name Sri Sunil Kr. Shaw

(b) Father's / Husband's Name Mr. Phool ch. Shaw

(c) Date / Year of Birth (d) Nationality

(e) Passport No. Date of Issue Place of Issue

(f) Occupation

(g) Address C/O Surentra Roy, Banganagar, 2 No Ghat, Rajivnagar, Ps-Siliguri, Dist-Darjeeling.

7. Details of known / suspected / unknown accused with full particulars

(Attach separate sheet, if necessary)

(i) Smt. Madhuri Barua (ii) Mr. Haripada Barua (ii) Tapash Barua (iii) Mr. Haripada Barua all of Church Road, Ward no-10, Ps-Siliguri, Dist-Darjeeling.

8. Reasons for delay in reporting by the Complainant / Information

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary):

10. Total value of properties stolen / involved

11. Inquest Report / U.D. Case No. if any

12. FIR Contents (Attach separate sheets, if required): The original written Complaint of the complainant is treated as FIR which enclosed here with.

13. Action taken: Since the above report reveals commission of offence(s) as mentioned at item No. 2, registered the case and took up the investigation / directed SI Bishim Kr. Das of Amtanki TOP-1 to take investigation / refused investigation / transferred to P.S. Siliguri on point of jurisdiction. FIR read over to the Complainant / informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

14. Signature / Thumb impression of the Complainant / Informant

[Signature]  
23/9/2021  
Signature of the Officer-in-Charge, Police Station

Name Raju Chatterjee  
Rank: No. SI of Police  
Siliguri Police Commissionerate

15. Date & Time of despatch to the court on 24/9/2021 at 10.30 hrs.

To  
The Officer-In-Charge,  
Panitanki Town Out Post,  
Under Siliguri Police Station,  
Siliguri, Dist. Darjeeling.

Dated: 23-07-2021.

Sub: F.I.R.

Respected Sir,

With due respect, I, **SRI SUNIL KR. SHAW**, Son of Late Phool Chandra Shaw, Resident of C/O - Surendra Roy, Ganga Nagar, 2 No. Ghat, Rajiv Nagar, P.O. & P.S. Siliguri, Dist. Darjeeling, would like to lodge this written complaint to the following effects:-

1. That I along with my brother Sri Bijoy Kumar Shaw are the bonafide tenant with respect to tenanted shop room measuring about 196 Sq. Ft. situated at the ground floor, Church Road, Siliguri being Identified as Holding No. 516/160/107, under Ward No. 10 of Siliguri Municipal Corporation, Siliguri and we have been inducted as a tenant with respect to the aforesaid shop room on a monthly rental basis of Rs. 392/- only per month excluding the charges of electricity under the then landlord Haripada Barua (since deceased), Son of Late Debendra Lal Barua, of Church Road, Siliguri since in the year of 1995 and a Deed of Agreement of Tenancy was executed in between ourselves and the owner Haripada Barua on 01.06.1995.
2. That on being inducted as a tenant of the aforesaid shop room, myself and my brother being the partner of "**Calcutta Motors**" have been carrying on a business of Old Motor Parts and Old Disposal Tyres after obtaining proper license from the authority of Siliguri Municipal Corporation and we have been paying the rent time to time to the owner of the said shop room sometimes by way of Cheque and sometime in cash against issuing proper receipt. Thereafter, we have obtained a separate electric connection in the said shop room from the office of the Electricity department which stands in the name of my brother Sri Bijoy Kumar Shaw.
3. That in course of enjoyment of the said tenanted shop room, the shop owner Haripada Barua died and after the demise of the shop owner Haripada Barua, his wife Smt. Madhuri Barua started to collect rent from us and we have been paying the rent to her against a proper receipt and time to time, we have increased the rent of the said shop room and presently, we have been paying a sum of Rs. 1600/- only per month towards the rent of the said shop room.
4. That since last one year, the sons of the deceased Haripada Barua namely **Panna Barua and Tapash Barua** in conspiracy with some ill reputed persons have started to create pressure upon us to increase the rent without any basis and asked us to pay a sum of Rs. 7000/- only per month against the said shop room as rent and threatened us with dire consequences by saying that if we failed to pay the said amount as demanded by them toward rent against the said shop room, they will not allow us to run the said shop room and they will create disturbance and if required, they will evict us from the said shop room forcefully without applying due process of law and in fact, they have started to create

*Sunil Kumar Shaw*

Page | 1



disturbance for which, we could not run our said business properly and we have suffered a huge loss and due to their illegal acts, the goodwill of our business also hampered and sometimes, we have closed down our business for considerable period due to their threatening and disturbance.

5. That in one occasion, when my brother Sri Bijoy Kumar Shaw was carrying the business on and from the said shop room, they have assaulted my brother physically but considering our long relation with their father, we did not lodge any complaint against them.
6. That suddenly few months back, the elder son of our deceased shop owner namely Panna Barua and his wife have expired due to COVID and after the death of Panna Barua, the younger son namely Tapash Barua have started to create tremendous disturbance for smooth running of our business on and from the said shop room and threatened us with dire consequences by saying that if we again open the said shop room in order to run our business, he will not hesitate to destroy the articles and goods of the shop room and even he will not hesitate to destroy our life and property and also evict us forcefully from the said shop room without due process of law and due to such type of activities, we are apprehending that said Tapash Barua and his associates may come again to create disturbance in order to run our business and also evict us forcefully from the said shop room without due process of law and the said business is our only source of income.
7. That thereafter, finding no other alternative, I along with my brother Sri Bijoy Kumar Shaw jointly filed one Title Suit being Title Suit No. 181 of 2021 before the Court of Ld. Civil Judge, (Jr. Divn.) at Siliguri on 25.08.2021 and after hearing, Ld. Court was pleased to pass the following order: -

"That the interim prayer of the Plaintiff be and the same is disposed of with a reminder to the Defendants till 29.09.2021, that no one even the Plaintiffs ought not to be evicted from any property including the suit property without due process of law"

8. That inspite of having the above Order of the Ld. Civil Judge, (Jr. Divn.) at Siliguri, as and when, we tried to open our said shop room on and from Church Road, Siliguri being Identified as Holding No. 516/160/107, under Ward No. 10 of Siliguri Municipal Corporation, Siliguri under the name and style as Calcutta Motors, said Smt. Madhuri Barua and her son namely Sri Tapash Barua started to create disturbance and restrained ourselves to run our said legal business on and from our aforesaid business place and today when we again tried to open our said shop room, they started to abuse us with filthy and abusive languages and restrained us to open the said shop room and we asked and requested them not to do such type of acts as we have the Order of the Ld. Court, they became more furious and started to threaten us with dire consequences and stated that if we again try to open the said shop room, they will not hesitate to implicate us in a false criminal case by lodging and incorporating a false stories and put us behind the Iron Bar for considerable period as they belongs to the member of a Schedule Caste and also stated that by taking advantage of their reserved caste, they can easily lodge a false complaint against us and put us behind the Iron Bar

Sumit Kumar Shaw <sup>Page | 2</sup>

and also stated that if required, said Tapash Barua lodge a written complaint through his mother Smt. Madhuri Barua incorporating a false story of molestation against us and such type illegal acts and activities have took place on regular occasion and due to their said illegal acts and activities, we have been passing our days with extreme fear and anxiety.

I, therefore, request you to kindly investigate into the matter and please take appropriate strong legal steps against the above noted persons as per the provision of law so that we can run our said business on and from the said shop room and obliged thereby.

Thanking you

Yours faithfully,

*Sunil Kumar Shaw*  
(SRI SUNIL KR. SHAW)  
Mob. No. 90738-80690.

Received on 23.09.21 at 20.45 hrs vide  
Sanitationi TOP G.P. ERRO-565 dt. 23/9/21  
and forwarded to the SLL PS to start a  
specific case under proper sec of Law.  
SI Ashim Kr. Das will investigate the  
case.

*AS*  
23/09/2021  
Sub-Stationary Officer  
Silliguri Police Station  
Silliguri

Received on 23/9/2021 at 21.10 hr.  
vide SCG PS GDE NO. 1426 dt. 23/9/21  
Started Silliguri PS case no. 1172/21  
dt. 23/9/21 d/s 341/323/506/406/188  
120 B 2 PC.

*AS*  
23/09/2021  
Sub-Stationary Officer  
Silliguri Police Station  
Silliguri Police Commissionerate